

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

*In re* THOMAS OLICK, :  
Debtor. :  
: THOMAS OLICK, :  
Plaintiff-Appellant, : CIVIL ACTION NO. 11cv4982  
: v. :  
: WILLIAM C. HOUSE *et al.*, :  
Defendants-Appellees :  
:

**ORDER**

AND NOW, this 17<sup>th</sup> day of December 2012, upon careful consideration of the parties' briefs and the record certified for appeal, **IT IS HEREBY ORDERED** that the June 28, 2011, order of the United States Bankruptcy Court for the Eastern District of Pennsylvania dismissing Thomas Olick's complaint with prejudice is **AFFIRMED in part and REVERSED in part**, as follows:

1. The bankruptcy court's dismissal with prejudice of count II is affirmed.
2. The bankruptcy court's dismissal with prejudice of Olick's allegations relating to House's representation during the bankruptcy proceedings contained in counts I, III, and IV, is affirmed.
3. The bankruptcy court's dismissal of count IV with prejudice is affirmed, on the basis of failure to state a claim.
4. The bankruptcy court's dismissal with prejudice of counts I and III with reference to Olick's claims relating to House's representation of Olick against Hancock in the NASD proceedings is affirmed on the basis that they are barred by the statute of limitations.

5. The bankruptcy courts dismissal with prejudice of counts I and III relating to Olick's allegations against House for his failure to properly represent Olick against the NASD defendants, other than the Hancock parties, is reversed.
6. This case is remanded to the bankruptcy court for proceedings consistent with this order and memorandum.

s/ William H. Yohn Jr.  
William H. Yohn Jr., Judge